



Senate

General Assembly

File No. 71

January Session, 2011

Substitute Senate Bill No. 363

Senate, March 17, 2011

The Committee on Labor and Public Employees reported through SEN. PRAGUE of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT ALLOWING MINORS TO WORK IN FAMILY BUSINESSES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 31-23 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2011*):

4 (b) (1) Notwithstanding the provisions of subsection (a) of this
5 section, a minor who has reached the age of fourteen may be employed
6 or permitted to work as a caddie or in a pro shop at any municipal or
7 private golf course or in a retail business or restaurant, provided such
8 retail business or restaurant is owned by the minor's parent whether
9 such parent is a biological parent, foster parent, adoptive parent,
10 stepparent, legal guardian of a minor or an individual who stands in
11 loco parentis to a minor, and provided each parent with day-to-day
12 responsibilities to care for or financially support such minor consents
13 to such minor's employment, and a minor who has reached the age of
14 fifteen may be employed or permitted to work in any mercantile

15 establishment, as a bagger, cashier or stock clerk, provided such
16 employment is (A) limited to periods of school vacation during which
17 school is not in session for five consecutive days or more except that
18 such minor employed in a retail food store may work on any Saturday
19 during the year; (B) for not more than forty hours in any week; (C) for
20 not more than eight hours in any day; and (D) between the hours of
21 seven o'clock in the morning and seven o'clock in the evening, except
22 that from July first to the first Monday in September in any year, any
23 such minor may be employed until nine o'clock in the evening. (2) (A)
24 Each person who employs a fourteen-year-old minor as a caddie or in
25 a pro shop at any municipal or private golf course or in a retail
26 business or restaurant, provided such retail business or restaurant is
27 owned by the minor's parent whether such parent is a biological
28 parent, foster parent, adoptive parent, stepparent, legal guardian of a
29 minor or an individual who stands in loco parentis to a minor, and
30 provided each parent with day-to-day responsibilities to care for or
31 financially support such minor consents to such minor's employment
32 pursuant to this section shall obtain a certificate stating that such
33 minor is fourteen years of age or older, as provided in section 10-193,
34 as amended by this act, and (B) each person who employs a fifteen-
35 year-old minor in any mercantile establishment pursuant to this
36 subsection shall obtain a certificate stating that such minor is fifteen
37 years of age or older, as provided in section 10-193. Such certificate
38 shall be kept on file at the place of employment and shall be available
39 at all times during business hours to the inspectors of the Labor
40 Department. (3) The Labor Commissioner may adopt regulations, in
41 accordance with the provisions of chapter 54, as the commissioner
42 deems necessary to implement the provisions of this subsection.

43 Sec. 2. Section 10-193 of the general statutes is repealed and the
44 following is substituted in lieu thereof (*Effective October 1, 2011*):

45 (a) The superintendent of schools of any local or regional board of
46 education or an agent designated by such superintendent shall, upon
47 application and in accordance with procedures established by the State
48 Board of Education, furnish, to any person desiring to employ a minor

49 under the age of eighteen years (1) in any manufacturing, mechanical
50 or theatrical industry, restaurant or public dining room, or in any
51 bowling alley, shoe-shining establishment or barber shop, a certificate
52 showing that such minor is sixteen years of age or older, (2) in any
53 mercantile establishment, a certificate showing that such minor is
54 fifteen years of age or older, and (3) at any municipal or private golf
55 course or in a retail business or restaurant, provided such retail
56 business or restaurant is owned by the minor's parent whether such
57 parent is a biological parent, foster parent, adoptive parent, stepparent,
58 legal guardian of a minor or an individual who stands in loco parentis
59 to a minor, and provided each parent with day-to-day responsibilities
60 to care for or financially support such minor consents to such minor's
61 employment, a certificate showing that such minor is fourteen years of
62 age or older.

63 (b) The State Board of Education shall establish procedures
64 governing the issuance of such certificates.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2011	31-23(b)
Sec. 2	October 1, 2011	10-193

LAB *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which permits a 14 year old to work in certain family owned businesses, results in no state or municipal fiscal impact as Labor Department Inspectors currently enforce labor laws pertaining to minors.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 363*****AN ACT ALLOWING MINORS TO WORK IN FAMILY BUSINESSES.*****SUMMARY:**

This bill allows a 14-year old to work in a retail business or restaurant owned by his or her parent if (1) each parent with day-to-day responsibility to care for or financially support the minor consents to the employment and (2) the business or restaurant obtains a certificate verifying the minor's age from the minor's superintendent of schools. The law requires employers to keep these certificates at the place of employment and make them available to Labor Department inspectors during business hours. Under the bill, a "parent" includes a biological, foster, or adoptive parent; stepparent; legal guardian; or an individual who stands in loco parentis (in place of a parent) to a minor.

It is unclear if the bill also extends the parental consent requirement to 14-year olds employed as caddies and in pro shops at golf courses, who currently have no such a requirement.

The bill makes conforming changes to the statutes governing school officials' issuance of certificates to document a child's age and allows the labor commissioner to adopt implementing regulations.

EFFECTIVE DATE: October 1, 2011

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 11 Nay 0 (03/03/2011)